

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

SB 2831 - HB 3665

February 25, 2010

SUMMARY OF BILL: Classifies the owner or operator of a coal surface mining operation as strictly liable, without regard to fault, to any person for personal injury, death, or property damage as a result of the discharge of rock, soil, or pollutants or any violation of a coal surface mining permit. Authorizes a court to award punitive damages, attorneys' fees, and litigation expenses to a prevailing plaintiff. Defines "coal surface mining site" as the area that is owned by the same or financially-related business enterprise and is not limited to the area included in the permit.

ESTIMATED FISCAL IMPACT:

MINIMAL

Assumptions:

- According to the Department of Commerce and Insurance, there will be no fiscal impact on the Department.
- According to the Department of Environment and Conservation, this bill does not affect the regulatory programs of the state.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White".

James W. White, Executive Director

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